

Defendant and Counsel are well aware of the admonishments given by the court to the parties in this case. However, Defendants are attempting to use anything said or done to wiggle

out of this lawsuit, including misrepresenting the Court's admonishment. In its advisement, Defendants seek to continue doing exactly what this lawsuit is designed to halt: infringing upon the speech of Defendant. Counsel has admonished and continues to counsel Defendant on his social media posts that may come into conflict with the fair and judicial prosecution of this cause. However, the suggestion that either Defendant or Counsel is in violation of the Court's directive is without merit.

FACTUAL ALLEGATIONS

Defendant is a free and law abiding citizen of the City of Aransas Pass, the State of Texas, and the United States of America, empowered and protected by constitutional rights enshrined in the Bill of Rights. Among those is the right to speak freely and the right to seek redress for grievances.

Defendants' first exhibit is proof that Counsel has been actively involved in ensuring that his client stays within his limits as admonished by the Court while exercising his rights. The image provided does not mention a single Defendant in this case.



Unless Defendants are suggesting that they “hate” the Plaintiff, this meme has no value, applicability, or relevance in this cause. Plaintiff is the subject of attacks from people outside of the parties in this case and is responding to those individuals.

In its second exhibit, Defendants provide a screenshot of a post I made sharing a video that has gone viral. I did not create the video and neither did my client. Sharing a video created by another member of the press does not in any way violate any ethical guidelines nor does it in any way prejudice this case. The video was culled from PUBLIC records that are readily available on Defendant’s website for anyone to view, download, edit and post. In my post, I made no statement on the content of the video other than the fact it had sound. Defendant asked to share the video the video as well and I assented to that request because it is again nothing more than an edited version of PUBLIC records that members of the public have access to.

Third, Defendants share a post by Plaintiff that was published on June 29, 2024.



Jason Followell

June 29 at 11:27 AM · 🌐

2 years ago today, Chief Blanchard and Chief Kelley utilized a warrant with no probable cause, edited illegally to suit Chief Blanchard's agenda, and they knew they were violating my 4th Amendment right by ILLEGALLY searching my business [Texas Strong Fitness](#).

They targeted me because I was man enough to fight back against their corruption and SCARE TACTICS.

Not a single officer in AP up held their Oath to the constitution, except Cory Elrod and what did Chief Blanchard do for Cory's heroism? He dismantle the explorer program built for local kids as punishment to Cory.

This is not defamation! This is proven facts! Thank you [City of Aransas Pass](#) leadership for showing that you too are corrupt and the entire town needs a clean slate.

Serve me a cease and desist! I always have PROOF!

PS - if fire inspections were really about safety we wouldn't have double standards! It's about control and \$\$\$.



23

5 comments 5 shares

The post includes nothing that Defendants claim constitutes “derogatory public statements.” Plaintiff shared factual information about how he perceives he has been treated in the past by public officials, including the Defendants in this case. In this post, he includes other things that public officials have done that are not at issue in this case.

Again, the next exhibit proffered by Defendants include a post where the Plaintiff is having to sell his gym because of the constant fears of retaliation and corruption against him. Plaintiff feels as if the only way he’ll be able to live without fear of reprisal is to leave the city he loves. This was caused by Defendants’ actions that are the subject of this case and since.



Texas Strong Fitness

18m ·



It is a sad state when a PATRIOT gets spit on for years(by his own peers) for fighting OUR oppressors and when people are finally awake that man was tossed out of his town.

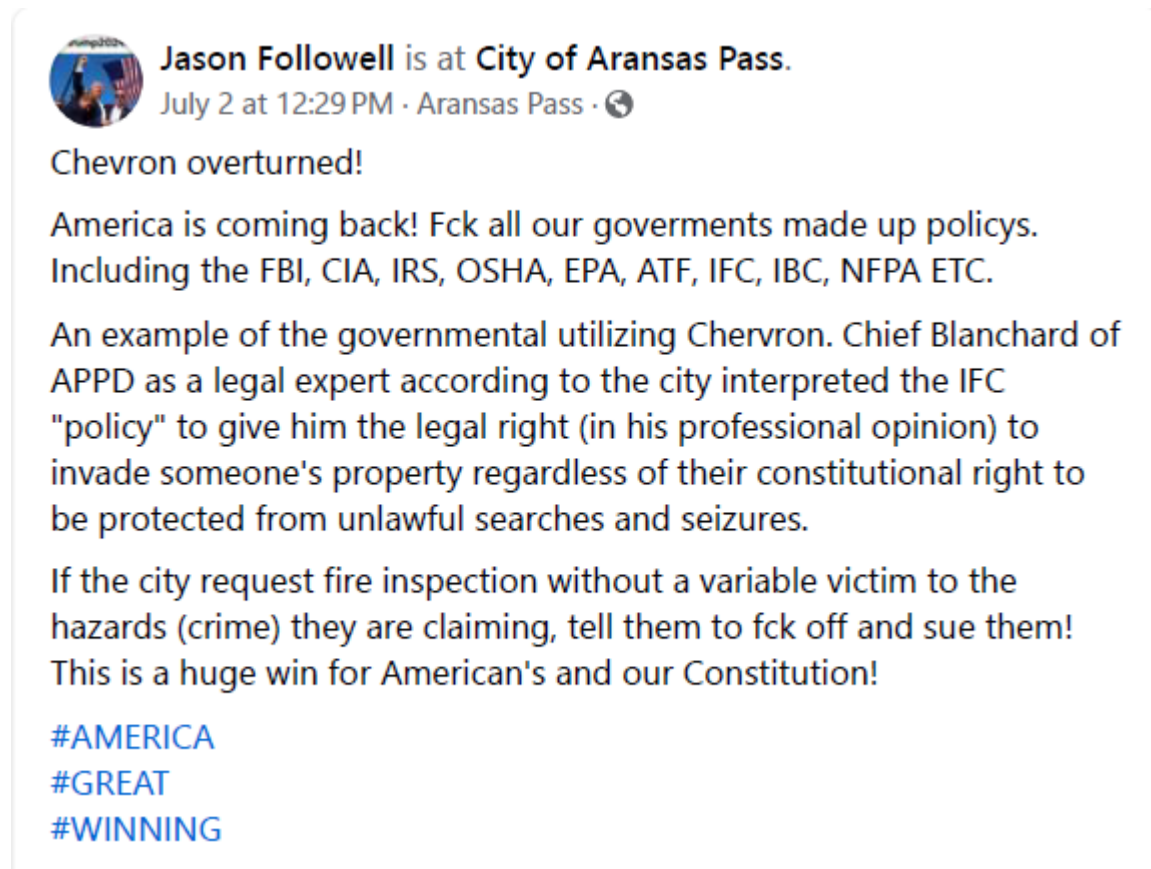
[Texas Strong Fitness](#) is officially on the market. All memberships will transfer at the same rate if and when it is sold. Please do not worry about where you will lift, the gym will always be there. Just a different owner.

My home is on the market as well. I lost my employment thanks to our corrupt city officials (proven), I lost my new opportunity to stay local thanks to San Patricio County's Tyranny (they refused to release my background check to my employer, proven), so I had to take a new position hours away from home.

I cannot thank my members enough for your support of not just my small business, but all of them. It is both stressful and costly and that's before any oppression by the [City of Aransas Pass](#). Which has now cost me everything.

But I will continue my fight! My kids and your kids will have more rights than we do, I promise you that.

The examples get more and more absurd the more you read through the Defendants' "examples" of conduct that they allege violates this Court's admonishment. For example, this post about the overturning of the Chevron doctrine can't be interpreted by any reasonable person to be derogatory towards Defendants.



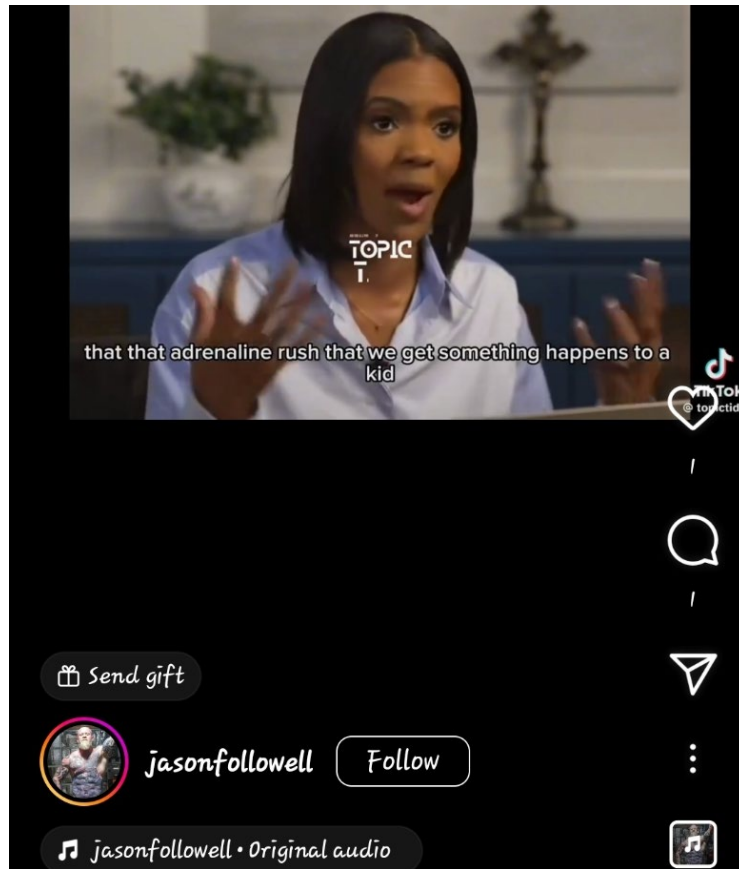
Defendants then share a screenshot of comments taken by other people who don't even live in Aransas Pass, much less Texas.

Defendant recently attended a City Council meeting to express his opinions of how the Police Department violently handled a homeless, mentally ill man. The man's treatment was abhorrent to many and the Defendant wanted to make his voice heard on the matter of public interest. Defendants want this Court to not only silence the Plaintiff on issues related to this cause and these Defendants, but to have his entire First Amendment protected right to seek

redress abolished pending the outcome of this suit. Defendants want the Court to order Plaintiff to refrain from ANY discourse about matters of public interest because exposing the ongoing corruption, violence, and apathy of the City Council and Aransas Pass government is detrimental to their defense. But, those issues exist whether Plaintiff expresses them or not. He was not the only individual upset by the actions of the Police Department against that homeless man.

Furthermore, Defendants falsely claim that “he will disseminate video depositions after they are taken.” First off all, this is categorically false. Nowhere in Defendants’ exhibits is this born out as accurate or true. The closest Defendant comes to this statement is simply that the depositions will be recorded. Of course they will; all depositions are recorded. Defendant is well aware that discovery may not be released in any manner and Counsel will ensure that he doesn’t have access to the files to share in the first place.

Finally, in a last ditch effort to soil the reputation of Plaintiff, Defendants proffer that he “does not believe that women should hold certain positions of power, who has stated is simply Hiter[sic] reincarnated.” In fact, the statements being made were made...BY A WOMAN. What Defendants aren’t telling the Court is that immediately following that statement, Mrs. Candace Owen (the woman in the video) talked about how when something happens to kids, it’s better for WOMEN to be there because of the nature vs nurture mentality between the sexes. In fact, the entire video is about the physical and physiological differences between men and women, and explains where both have advantages and disadvantages, specifically when it relates to protecting the President of the United States.

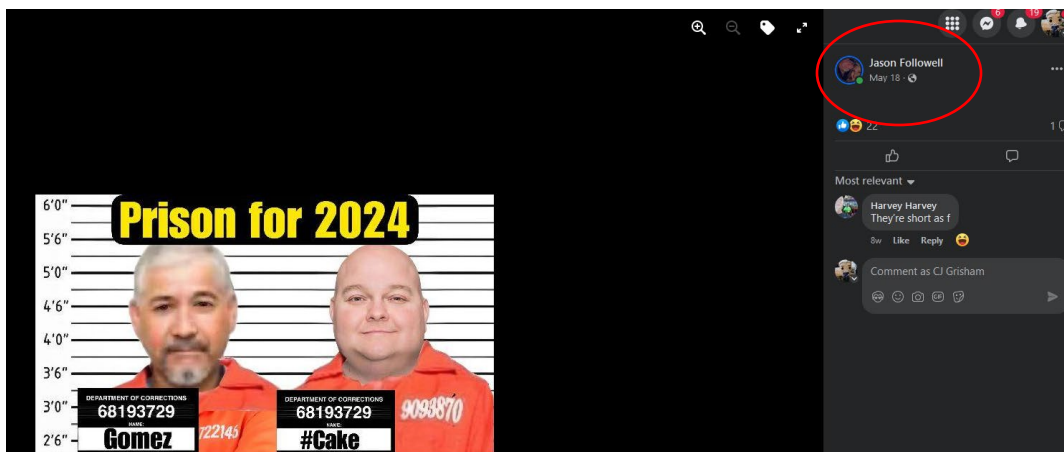


Not only are Defendants seeking to deny Plaintiff's right to seek redress and express himself, but they are also denying differences between men and women.

The "medusa" picture was posted before the conference with the Court and admonition on June 8.



The prison picture was posted on May 18.



Plaintiff's position is that he has a right to complain about the actions of his government provided he does not prejudice the jury pool. Plaintiff lives in Aransas Pass, but the Jury Pool will be selected from the County at Large. His discussions about matters of public concern will no more prejudice the jury pool in this case than a party in another civil action complaining about the actions of his/her elected officials.

Defendants outlandishly claim that "Plaintiff has also engaged in direct witness intimidation by threatening to seek prison time for any witness who testifies in favor of the

Defense.” The Defendants’ own exhibits show this is yet another absurdly false allegation that is not supported by reality or the evidence.

I urge the court to thoroughly review Defendants’ evidence and claims contained in its “advisement” and see for itself that the issue is nothing more than thin skin and an instinctual inclination to view anything Plaintiff does through the lens of disdain and ill-intent.

The best way for Defendants to get Plaintiff to stop talking about their violent and perceptibly corrupt behavior is to stop engaging in it; not shutting down critics.

ARGUMENT

Defendants use colorful language like “vitriol” and “ad hominin[sic]” to make Plaintiff’s speech appear as if it is without merit. They use the fact that Mr. Followell has “over ten thousand subscribers on YouTube, hundreds of friends on Facebook, and almost a thousand followers on Instagram” as the basis for their claim that his criticism of bad government taints the jury pool.

The fact is that the vast majority of Plaintiff’s followers do not even live in Texas, much less the Southern District of Texas. They will not be potential jurors.

Defendants claim that the Court has ordered Plaintiff not to speak about the Defendants at all, and that simply is not true. If it were true, it would be unconstitutional, but it’s not. The Court simply admonished both Counsel and Plaintiff to stay away from incendiary and “colorful” language and recognize the possibility of tainting the jury pool.

PRAYER

WHEREFORE, PREMISES CONSIDERED, Plaintiff JASON FOLLOWELL prays that this Court take Defendants’ advisement with a grain of salt and find that Plaintiff has not in any

way violated this Court's admonitions, either directly or in the spirit of intent. There are no public threats; there is no threat to poisoning the jury pool.

That said, Plaintiff agrees that a conference of the parties is necessary to properly inform both sides that not only is a Protective Order not prudent or necessary, but unjustified. Counsel asserts that depositions in this case – like all cases in which Counsel engages – will be protected from public view throughout the prosecution of this case. However, Plaintiff still maintains that no such statements about sharing depositions were ever made or insinuated by him or Counsel. Counsel is well aware of his ethical obligations as well as the Federal Rules of Evidence.

Respectfully submitted,

LAW OFFICES OF CJ GRISHAM, PLLC



CJ Grisham
Texas State Bar no. 24124533
LAW OFFICES OF CJ GRISHAM, PLLC
cj@cjgrisham.com
3809 S. General Bruce Dr.
Suite 103-101
Temple, Texas 76504
P: 254-405-1726

**ATTORNEY FOR PLAINTIFF
JASON FOLLOWELL**

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing has been forwarded, *Via Electronic filing*, to Defendants' counsel, in accordance with the Federal Rules of Civil Procedure on Thursday, July 18, 2024.

James McKibben & Marshall Gardner
1100 Tower II
555N. Carancahua
Corpus Christi, Texas 78401-0841
jmckibben@mcv-law.com
mgardner@mmjw-law.com

A handwritten signature in black ink, appearing to read 'CJ Grisham', is written over a horizontal line.

CJ Grisham